

# FARMINGTON CITY COUNCIL MEETING

Tuesday, February 17, 2009

---

## CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

**PRESENT:** Mayor Scott Harbertson, Council Members Richard Dutson, David Hale, Paula Alder, Sid Young, City Manager Max Forbush, and Recording Secretary Kami Mahan.

**Mayor Harbertson** began discussion at 6:08 p.m. **Max Forbush** offered the invocation. The following items were reviewed:

### (Agenda Item #2): Reading and Approval of Minutes

The Council reviewed the minutes of the meeting held February 3, 2009. Several corrections were made.

### (Agenda Item #4): Public Hearing (Continued from previous City Council meeting): Consideration of an Ordinance amending the Zoning Ordinance as follows: Chapter 7 (Site Development Standards) and Chapter 18 (Mixed Use) regarding administrative review for public street standards not listed/Consideration of proposed amendments to the Master Transportation Plan and Zoning Ordinance (Chapter 18) regarding location or alignment of "Road to the North" and street cross sections related thereto.

**Mayor Harbertson** referred to the changes in Chapter 18 and Chapter 7 of the Zoning Ordinance in the packet, and stated that verbiage is being modified to avoid the process of having to amend the ordinance each time a minor change is wanted.

### (Agenda Item #5): Consideration of City Engineer and Planning Commission recommendation to modify street cross section standards for the "Road to the North"

**Max Forbush** distributed copies of a letter with recommendations from CRS Engineer Paul Hirst concerning cross sections required for the construction of Station Parkway (Road to the North) between Park Lane and 1525 West. He said that as development occurs, it is unknown if the bulb outs are in the best location. **Mr. Forbush** said it is not practical to do everything at once. The cross section as proposed is satisfactory. He said City approval should be conditioned on UDOT approval.

### (Agenda Item #6): Consideration of request from Rod Griffin for boundary line adjustment between David F. White and Chad Marsing properties abutting 200 West Street located east of Farmington Jr. High.

**Mayor Harbertson** reviewed this item, and said the developer has met with the property owners. The proposal is for a storm drain pipe to go across the back of the property to avoid the need to remove

landscaping.

**(Agenda Item #7): Review of Festival Days Plans/Logo for 2009 - Neil Miller/Sarah Hale.**

**Max Forbush** distributed copies of the new proposed logo and theme for Festival Days.

**(Agenda Item #8): Minute Motion Approving Summary Action List.**

- **Ratification of Approvals of Construction Bond Agreement.**
- **Authorization to apply for Certified Local Government Historic Preservation Grant.**
- **Approval of Recycling Survey.**
- **Approval of FY 09-10 Budget preparation/approve time line.**
- **Letter to County Assessor requesting updated values for 2009 in the TOD areas of west Farmington.**
- **Approval of URMMA's recommendation to deny Jeffrey Warren's Claim.**
- **Approval of Escrow Agreement Bond pertaining to Zion's Bank project at 1663 North Main Street.**

**Mayor Harbertson** said that the Historic Preservation Commission has requested up to \$5,500 in grants which it wants in matching donations from the City. He suggested that because of budget constraints, the City offer to match the funds at 50%, which is \$2,500. **Max Forbush** pointed out that the Commission can provide an in-kind match as well, which will bring the total City match to around \$3,000.00. Therefore, the grant would be for \$3,000.00.

**The Mayor** referred to the draft of the recycling survey contained in the packet and said that the question concerning a recycling center was removed. He also said citizens should be informed that district-wide mandatory recycling would eliminate only about 10% of solid waste, and that it is estimated that the life of the landfill would only be extended by two years. These points would be on the City website and in the newsletter. **The Mayor** also suggested that Question #4 regarding the amount of recyclable material contributed weekly by each family should be removed. The Council briefly discussed what recycled materials are selling.

The Budget Review schedule was discussed. Council Members will email the City Manager to confirm their availability for the proposed dates.

**Mayor Harbertson** reported that a few citizens have raised concerns about landscaping at the new Zions Bank. He added that the nine maple trees on the park strip are all bonded by the bank.

**(Agenda Item #8): Resolution amending City Personnel Policies to incorporate latest changes in Federal Regulations. (Agenda Item #9)**

**Mayor Harbertson** stated that federal regulations require that this Resolution be adopted.

**(Agenda Item #10): Consideration of Ordinance enacting a temporary regulation to limit code enforcement on property signage.**

Copies of the proposed ordinance were distributed, and **Mayor Harbertson** explained that this is a rough draft being offered for conceptual approval. A minor language change is being proposed to allow exceptions for sign restrictions, and an enforcement moratorium for a two to three month period.

**(Agenda Item #11): Review of County/State meetings pertaining to drainage, trails, and improving the fuel break road.**

**Max Forbush** reported on three meetings with regard to this issue:

1. A meeting at the UDOT offices was held in which it was learned that the engineer for Garbett Homes is applying for a permit to extend the trail on the east side of the development. Initially the trail was to hug the perimeter of the townhouses on the south and east side. In order for the City to obtain permission on road rights-of-way, the City should sign a cooperative agreement to maintain the trail. **Mr. Forbush** said this will be easy on the south side. They will gate the access road exiting the frontage road. UDOT is agreeable to gating, but a side opening needs to exist for pedestrians.

**Mr. Forbush** explained that on the northern portion of the trail, the right-of-way was given to the federal government, before the County reserved a trail easement. They are now trying to get a federal permit and want the City to sign a cooperative agreement also.

2. A meeting was held with County officials. **Mr. Forbush** explained that in late 90's the City, the County, and the Army Corps of Engineers, entered into a wetlands agreement in the Farmington Preserve area. One requirement is for the City to vacate the old Burke Lane and deed its land near the mound of dirt along I-15 and on the south side of the Oakridge Eagle Golf Course, which is planned as a detention basin. The recommendation is to vacate Burke Lane after a utility easement is received.

3. A meeting was held at the Public Works building about the Fuel Break Road. The City agreed to match federal funds of \$50,000 to improve the road, which the County has already greatly improved. The property manager has closed the road, but the gate needs to be improved to be accessible for emergency vehicles. They also want to create an easement so it ties into Armstrong Road. There is \$40,000 left from federal money to build the trail, but the City must obtain the easement by March 6, 2009, or the money will be given to Centerville City for improvements on their portion of the fire break road.

**Max Forbush** said the intent for obtaining the easement is for recreational and fire fighter access and use. It would have to be gated. He recommended authorizing the **Mayor** to sign the easement agreement in order to meet the deadline.

**(Agenda Item #12): Proposed plan for locating "Welcome to Farmington" monument signs.**

The Council discussed the proposed locations for the “Welcome to Farmington” signs.

**(Agenda Item #13): Bid Award - NRCS Flood Control Mitigation Projects for Steven’s Circle and the Shepard Heights Subdivision area.**

Copies of the NRCS Fire Mitigation Bid Summaries were distributed to the Council. **Mayor Harbertson** said the low bidders were planning on the City purchasing and hauling the rock, which is reflected in the bid. **Max Forbush** has asked for an extension to allow time to hire a contractor. The low bidder has 24 hours to withdraw his bid, which is tomorrow. The City has a \$40,000 grant with a 25% matching requirement. The recommendation from the City Engineer is to approve the low bid if they maintain their numbers and choose not to withdraw their bid. There was a huge discrepancy in costs between the lowest and second lowest bid.

**Max Forbush** said the discrepancy in the bids is being looked into. He said because of the time constraints, the City Council needs to authorize the awarding of the bid once the discrepancy is resolved. The Council discussed the matter.

The work session ended at 7:00 p.m.

**REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER**

**PRESENT:** Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Paula Alder, Sid Young, Cory Ritz, City Manager Max Forbush, City Planner David Petersen, City Engineer Paul Hirst, City Recorder Margy Lomax, and Recording Secretary Kami Mahan.

**Mayor Harbertson** was temporarily detained, and Mayor Pro Tem **Rick Dutson** called the meeting to order at 7:15 p.m. **Sid Young** offered the invocation. The Pledge of Allegiance was led by **Max Forbush**.

**APPROVAL OF MINUTES OF PREVIOUS MEETING (Agenda Item #2)**

The Council reviewed the minutes of the meeting held February 3, 2009, during the work session. **Sid Young** referred to a comment made by him on Page 16 of the minutes regarding radon gas. He asked that the second sentence read: “Information can be given to builders and owners...” He also clarified that his intent was to say that only some areas in Farmington have tested high for radon gas.

**Motion**

**David Hale** moved to approve the minutes of the meeting held February 3, 2009, with changes as noted. **Paula Alder** seconded the motion, which passed unanimously.

**PLANNING COMMISSION REPORT (Agenda Item #3)**

**John Bilton** reported the proceedings of the Planning Commission meeting held February 12, 2009. He reviewed the following items:

- The Planning Commission recommended that the City Council adopt the suggested text changes for Chapter 7 and Chapter 18 of the Zoning Ordinance.
- The Planning Commission tabled the request for a Scenic Byway Overlay Ordinance (to be Chapter 41 of the Zoning Ordinance), and the request for an amendment to the Official Zoning Map. Both applications were tabled until the March 12<sup>th</sup> meeting.
- The Planning Commission recommended approval, with one nay vote, for a Conditional Use permit for a home occupation license for a home-based child care facility.
- Commissioners Jim Young, Michael Wagstaff, and Jeff Butler were appointed as members of the Sign Ordinance Committee.

The Council handled Agenda items in the following order during the evening: #6, #8, #9, #7, #4, #5, and the remaining items were handled in order.

**PUBLIC HEARING (CONTINUED FROM PREVIOUS CITY COUNCIL MEETING):  
CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AS  
FOLLOWS: CHAPTER 7 (SITE DEVELOPMENT STANDARDS) AND CHAPTER 18  
(MIXED USE) REGARDING ADMINISTRATIVE REVIEW FOR PUBLIC STREET  
STANDARDS NOT LISTED/CONSIDERATION OF PROPOSED AMENDMENTS TO THE  
MASTER TRANSPORTATION PLAN AND ZONING ORDINANCE (CHAPTER 18)  
REGARDING LOCATION OR ALIGNMENT OF “ROAD TO THE NORTH” AND STREET  
CROSS SECTIONS RELATED THERETO. (Agenda Item #4)**

**David Petersen** referred to the packet information and explained that in the past developers have proposed beneficial minor changes in cross sections, so a provision was drawn in the ordinance granting more administrative discretion. This proposal will ensure that the Zoning Ordinance and the Subdivision Ordinance are in harmony.

**Mr. Petersen** showed an overhead view of the 2005 General Plan and pointed out the route of the Road to the North. He said staff is recommending a design change to a three lane version, and that there are provisions made to allow for minor adjustments. He said the Planning Commission felt the Regulatory Plan did not need to be amended.

**Mr. Petersen** reviewed the differences in the three proposed Station Parkway cross section alternatives, and said that staff is recommending Alternative #1. He said Traffic engineer Tim Taylor

has indicated that the difference between the alternatives is minor, and the prospect of having to increase to five lanes is remote. **Mr. Petersen** said the Planning Commission is recommending no changes to the General Plan regarding alignment, cross sections, or text.

### **Public Hearing**

**Mayor Harbertson** opened the meeting to a public hearing at 7:54 p.m. and invited public comment.

**Scott Harwood**, 33 South Shadow Breeze Road, Kaysville, representing the Haws group, said the road bisects a large portion of their property. They support staff's recommendation for Alternative #1. He said they had expressed five issues of concern after the last meeting, and most of these have been addressed with Alternative #1.

**Ron Martinez**, 5019 Skyline Drive, Salt Lake City, America West Development, asked for clarification on what was being specifically proposed. He said the proposal allows the City to create an ordinance, rather than amending an existing one. **David Petersen** responded that the General Plan is a policy document and not a zone text change. He reiterated that the Planning Commission did not feel it necessary to amend either the General Plan or the Regulating plan.

**Ron Martinez** referred to an email he received from Planning Commissioner Steve Andersen informing him that the location of the alignment of the Road to the North was not being considered in this recommendation. **David Petersen** said Steve Andersen was saying that only the road alignment was being considered. He said **Mr. Martinez** was questioning the validity of moving the intersection, but that the Planning Commission did not think the issue was part of their agenda item.

**Mr. Martinez** felt there was a discrepancy between the newspaper notices and the Planning Commission public hearing. He said this is a continuation of a public hearing from February 3<sup>rd</sup> but what is now being considered is a recommendation from the Planning Commission. **Mr. Martinez** said he believes there is a problem with this under the LUDMA criteria and he wants time to review notices. He said his traffic engineer Ryan Hales has reviewed the traffic study done by Tim Taylor and that there is nothing in the study that recommends this alignment to the new Road to the North. He said Mr. Hales' review of the CenterCal study also showed inadequacies and deficiencies. **Mr. Martinez** said the Centercal development agreement states they cannot be assessed for any deficiencies created by attaching onto Park Lane.

**Mr. Martinez** believes it could be problematic to add this alignment straight across from the Centercal alignment. He would like the issue revisited with his group, the City Council, Ryan Hales, and Tim Taylor. He asked that the issue be tabled, and distributed copies of a letter he wrote on this matter.

**Mayor Harbertson** pointed out that the intersection has already been built. He asked why they should stop the process when it is a 3.5 million dollar road already in place. **Mr. Martinez** said it was a mistake in the first place and he thinks the road should be moved 250 feet. He wants the process slowed down and re-evaluated.

**Max Forbush** said that Jody Burnett, an attorney representing the City in the America West lawsuit, said that the Planning Commission is a recommending body, and the City Council has the authority to accept the Commission's recommendation fully or to modify it, provided that any change is not substantive.

The **Mayor** said it was highly unlikely that UDOT would not issue a permit on the opposite side of Station Park for a four-way intersection. **Max Forbush** agreed that this issue (meaning the location of the intersection) has been considered with past City Councils. He said all these discussions occurred prior to CenterCal eventually getting an encroachment permit for the present location. Park Lane is a UDOT road, not a City road, so the decision will be made by UDOT. Tonight the City Council can, if it deems there is insufficient information, extend the hearing another two weeks, or it can approve the alignment and plan, contingent on UDOT's acceptance. **David Petersen** said the alignment was approved in 2005. **Mr. Forbush** added that it (meaning the general alignment of the road to the north) was approved in the Transportation Master Plan and in the Regulatory Plan.

In answer to a question by **Rick Dutson**, **Paul Hirst** said the issues go back three years when the City sought federal help. He said there was an arduous process involving EIS as prescribed by federal regulations, which had to be done prior to commencing the design. **Mr. Hirst** said questions at this point are very late in the game. He said it is acknowledged by all that this will be a four way intersection, and will be signalized as soon as it meets warrants.

**Ron Martinez** agreed that it was a major process and said an EIS study was also done by UTA. He said he is agreeable to the City Council approving this proposal subject to UDOT approval and a letter from Cory Pope.

### **Public Hearing Closed**

**Mayor Harbertson** closed the public hearing at 8:23 p.m.

### **Motion**

**David Hale** moved to adopt the ordinance amending Chapter 7 and Chapter 18 of Title 11. **Rick Dutson** seconded the motion, which passed by a unanimous vote.

**Mayor Harbertson** said no motion is needed if the Council agrees with the Planning Commission that the proposed changes do not vary enough from the current standards to require an amendment.

No further motions were made. **The Mayor** said the Council accepts the recommendation of the Planning Commission.

**CONSIDERATION OF CITY ENGINEER AND PLANNING COMMISSION  
RECOMMENDATION TO MODIFY STREET CROSS SECTION STANDARDS FOR THE  
“ROAD TO THE NORTH.” (Agenda Item #5)**

**Mayor Harbertson** said this Agenda item would be subject to approval by UDOT. **Dave Petersen** said now that legislation has been passed to allow administrative review, staff is recommending that the City Council adjust the principle street/major collector cross section street standards for the Road to the North between Park Lane and the Promenade, and between the Promenade and 1525 West.

**Max Forbush** asked exactly how the side area of the cross section will be treated. **Mr. Petersen** said the Planning Commission recommended adding trees and street lights, although tree locations are not specified. He said details are proposed by engineers and landscape architects. **Sid Young** felt that clarification of the landscaping was needed.

**Motion**

**Rick Dutson** moved to approve the recommendations of the Planning Commission, in accordance with the Memorandum dated February 13, 2009, and to approve the cross sections A,B, and C, and the Promenade to 1525 West, and to modify the verbiage, “tree/lawn/lighting”, subject to UDOT approval as it connects to Park Lane. The motion was seconded by **Sid Young**, and was unanimously approved.

**CONSIDERATION OF REQUEST FROM ROD GRIFFIN FOR BOUNDARY LINE  
ADJUSTMENT BETWEEN DAVID F. WHITE AND CHAD MARSING PROPERTIES  
ABUTTING 200 WEST STREET LOCATED EAST OF FARMINGTON JR. HIGH. (Agenda  
Item #6)**

**David Petersen** referred to an overhead aerial map of the area and pointed out the proposed easement line. He briefly reviewed the background information of this item, and said staff recommends approval of the notice of boundary adjustment.

**Motion**

**Cory Ritz** moved to approve the request for the boundary line adjustment and to authorize **The Mayor** to sign the same. **Paula Alder** seconded the motion, which passed by a unanimous vote.

**REVIEW OF FESTIVAL DAYS PLANS/LOGO FOR 2009 - NEIL MILLER/SARAH HALE.**



Copies of the updated logo and T-shirt design for Festival Days were distributed. Parks and Recreation Director **Neil Miller** and Festival Days Chairman **Sarah Hale** reviewed the week's planned activities for the Festival. **Mr. Miller** noted that volunteers are still needed for some events. He reported that the Community Center is being proposed as the venue for possible Rock Band/Guitar Hero tournament competitions.

**Paula Alder** asked about contact information, and **Sarah Hale** said emails can be sent to her. **Rick Dutson** emphasized the importance of involving citizens from all areas of the community as committee heads and volunteers. **Mr. Miller** reported that Dave Thomas has committed \$1,000 to the breakfast. The Council discussed possible times and locations for the Flag Ceremony. Names were suggested as possible resources for help.

**Neil Miller** reported that attendance for the Miss Farmington pageant meeting was poor. **Paula Alder** said this may have been due to many people not being aware of the meeting, and because of conflicting activities.

#### **MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #8)**

- **Ratification of Approvals of Construction Bond Agreement**
- **Authorization to apply for Certified Local Government Historic Preservation Grant**
- **Approval of Recycling Survey**
- **Approval of FY 09-10 Budget preparation/approve time line**
- **Letter to County Assessor requesting updated values for 2009 in the TOD areas of west Farmington.**
- **Approval of URMMA's recommendation to deny Jeffrey Warren's Claim**
- **Approval of Escrow Agreement Bond pertaining to Zion's Bank project at 1663 North Main Street.**

**Max Forbush** reviewed each of the Summary Action List items.

Regarding the application for the Historic Preservation grant, **Mr. Forbush** said that care needs to be taken in this application because of the economic situation. He recommended, based on the Mayor's request, that the application amount be for a maximum matching amount from the City, and that additional in-kind contributions can likely be obtained. The Council agreed with the proposed maximum amount cash matching.

**Mr. Forbush** clarified what changes would be made in the recycling survey.

**Mr. Forbush** stated that URMMA is recommending denial of a citizen's claim. He said URMMA wants the input of governing bodies prior to taking action. Staff recommends approving the denial. **Sid Young** pointed out that the manhole involved in the claim is not owned by the City.

**Motion**

A motion was made by **Sid Young** to approve the Summary Action List, with the following changes:

1. The Historic Preservation Commission grant request cash match from the City's contribution will not exceed \$2,500.
2. The recycling survey will omit Question #4, and language will be modified in one question. There will be an additional bullet informing citizens that district-wide mandatory curbside recycling would result in only an additional 10% of solid waste being diverted from the landfill, and only a two-year life extension of the landfill.

**David Hale** seconded the motion, which was unanimously approved.

**RESOLUTION AMENDING CITY PERSONNEL POLICIES TO INCORPORATE LATEST CHANGES IN FEDERAL FMLA REGULATIONS. (Agenda Item #9)**

**Max Forbush** stated that recent changes in federal law have necessitated the drafting of a resolution by the City attorney amending Section 9.110 of the Personnel Policies pertaining to the Family Leave Medical Act (FMLA). Staff is recommending approval of the resolution.

**Motion**

**David Hale** moved to adopt the Resolution amending Section 9.110 of the Personnel Policies pertaining to provisions of the Family Leave Medical Act. The motion was seconded by **Paula Alder** and passed by a unanimous vote.

**CONSIDERATION OF ORDINANCE ENACTING A TEMPORARY REGULATION TO LIMIT CODE ENFORCEMENT ON PROPERTY SIGNAGE. (Agenda Item #10)**

**Mayor Harbertson** said that due to the economic downturn, requests have been received from realtors and developers to increase signage attracting prospective customers. He proposed a two month trial period, which can be extended if the privilege is not abused. The Council discussed the issue and gave conceptual approval of the proposal.

The **Mayor** reviewed sections of the proposed ordinance regarding Open Houses, Portable Signs, Prohibited Signs, and Open House Signs (Sections 15-1-040 (30.5); 15-1-040 (35); 15-2-110; 15-4-070). He pointed out that the proposed ordinance changes give developers more latitude in displaying signage.

**Cory Ritz** raised a question about language to indemnify the City against legal liability, and he specifically pointed out potential problems with A-frame signs. **The Mayor** said the attorney will review this issue. **Sid Young** pointed out that the numeric sequence in the ordinance needs to be in proper order.

**REVIEW OF COUNTY/STATE MEETINGS PERTAINING TO DRAINAGE, TRAILS, AND IMPROVING THE FUEL BREAK ROAD. (Agenda Item #11)**

**Mayor Harbertson** said this item was discussed during the work session. He said the issue to be considered is whether the City should enter into an agreement with UDOT to maintain the trail from the UDOT right-of-way to the Farmington Preserve area.

**Motion**

**Rick Dutson** made a motion to enter into a cooperative agreement with UDOT to maintain the trail within the UDOT right-of-way in the Farmington Preserve area. Max Forbush said the agreement will have to be prepared before it is formally approved. The motion was seconded by **Paula Alder**, and was unanimously approved.

**Max Forbush** reported that if UDOT needs to use its full frontage road right of way south of Shepard and east of U.S. 89 to widen road facilities on the north end of the trail, UDOT does not want to have to move the trail at its expense. Therefore, part of the agreement will need to stipulate that UDOT will not be required to move the trail or compensate the City for moving the trail. He said the City doesn't have much choice. **Sid Young** commented that the trail is sufficiently far from the pavement area that there is not a safety concern. **Mr. Forbush** said he thought the trail would be fenced. Davis County also wants the City to vacate its interest and ownership in Burke Lane between U.S. 89 and I-15 to meet requirements of the wetland Farmington Preserve Agreement.

**Motion**

**Rick Dutson** made a motion to vacate Burke Lane. **Sid Young** seconded the motion, which passed by a unanimous vote.

**Motion**

**Sid Young** moved to preauthorize **The Mayor** to sign an easement agreement with Jerry Stevenson to obtain an easement over and across property along Farmington's east bench which will serve for trail and fire access purposes. The motion was seconded by **Cory Ritz** and passed unanimously.

**Nathan Nelson**, Farmington Trails Committee, asked about an access gate for pedestrians. **Max Forbush** said that on the south side there would be a gate across the road, and a side opening for trail users. He said once this was done the gate on the other trail will be removed. **David Hale** suggested that

a marker be in place to inform trail users they are not trespassing. **Mr. Forbush** said this will be taken care of.

**Max Forbush** wanted to clarify for the record that these two previous motions are conceptual approvals only.

### **Amended Motion**

**Sid Young** amended his motion to state that his previous motion was conceptual only. **Cory Ritz** seconded the motion, which passed unanimously.

### **PROPOSED PLAN FOR LOCATING “WELCOME TO FARMINGTON” MONUMENT SIGNS. (Agenda Item #12)**

The Council discussed the proposed locations for the “Welcome to Farmington” signs. Each Council Member listed their preferences for sign locations in order of priority and turned them into **Margy Lomax**. **Max Forbush** noted that the cost of each monument sign would be \$5,000 to \$6,000 each.

Later in the meeting, the Council’s results were calculated. The top three locations for signs were (1) the Pilcher property, (2) the Centerville/Farmington border, and (3) a tie between Park Lane and the Frontage road.

### **BID AWARD - NRCS FLOOD CONTROL MITIGATION PROJECTS FOR STEVEN’S CIRCLE AND THE SHEPARD HEIGHTS SUBDIVISION AREA. (Agenda Item #13)**

**Mayor Harbertson** said this issue was reviewed during the work session. **Paul Hirst** explained that following the last fire, the City was able to secure NCRS funding for erosion control coming off the mountain at Shepard Heights and Steven’s Circle. The installation of a retaining wall and other work will be done.

**Rick Dutson** expressed concern that the low bidder may not have the full scope of work covered, and they should not have the option of revising their numbers since the bidding is closed. **Max Forbush** said the low bidder is the preferred bidder of the landscape architect, and he has 24 hours to withdraw his bid if his numbers are miscalculated. **Mayor Harbertson** said it was important to consult with the Public Works Director to see if they have the time and manpower to transport the rock. **Mayor Harbertson** noted the risk of accepting the lowest bid if problems occur midway through the project. The Council agreed to see whether the lowest bid is withdrawn.

### **Motion**

A motion was made by **Rick Dutson** to authorize the City Manager to award the bid, based on consultation with the Public Works Director, and verifying that the low bidders maintain their bid, and verifying that the City has the time/resources to transport the rock. **David Hale** seconded the motion, which passed by a unanimous vote.

#### **WEST FARMINGTON FLOOD PLAIN DISCUSSIONS. (Agenda Item #14)**

**Mayor Harbertson** referred to the packet map of the area, and explained that when the area was originally surveyed, some homes were omitted from the survey and from the flood plain area. Hence, their insurance drops dramatically. The survey company now proposes adding some new areas to the flood plain. Staff is recommending either the deletion of the proposed added areas which were not surveyed, or requiring those areas to be surveyed. Council Members agreed with this proposal.

#### **Motion**

**Cory Ritz** moved to approve staff's recommendations to require either deletion of added areas which are not surveyed, or to require surveying of the properties to be added, in order to minimize the number of properties being added to flood plain designation. **Sid Young** seconded the motion, which passed unanimously.

#### **DISCUSSION - NEW CITY HALL PLANNING DISCUSSIONS. (Agenda Item #15)**

**Max Forbush** reported on meetings held with architects about the new City Hall, and said two centers of activity with their own entrances are being considered. Architects also propose, because of the placement of the storm sewer line, positioning the building on the north side of the sewer line. The Council confirmed their preference for a more southern placement of the building on the property, with a more boxy design.

**Rick Dutson** asked about the long hallway along the exterior window wall of the proposed design, and said that employees and patrons should be the beneficiaries of the sunlight. **Max Forbush** said if the City purchases the Wheeler's property, this would add additional land and expand design alternatives. **Rick Dutson** said he understood the architects' preference for the northern placement, but this arrangement would reduce parking.

The Council discussed the building and complex, and other details of the proposed site. Tours to other city halls are scheduled for the Council.

**Mr. Forbush** reported that the second appraisal on the current City Hall is \$1,350,000, which is \$490,000 more than the first appraisal.

#### **MAYOR HARBERTSON'S REPORT (Agenda Item # 16)**

**Mayor Harbertson** reported that the Ogden Raptors baseball team plans to have a “Farmington Night”, which will be free to Farmington citizens, City employees and staff, and all Farmington employers. The City’s obligation is the distribution of tickets. Upgraded seats will be available at the stadium for \$5.00 each. The Council was in favor of this proposal.

**The Mayor** reported on a meeting with Sharon Treu regarding the Zions Bank landscaping. Ms. Treu is concerned that screening will be inadequate along Main Street, and that lighting is overdone. **The Mayor** said he reviewed the approved landscaping plans and NMU requirements with her. **Paul Hirst** explained that luminaires are installed because cameras require a specific amount of light to sense vehicles and turn signal lights green. **David Petersen** will check on the interpretation of the ordinance with respect to lighting.

The Police Open House will be on March 17<sup>th</sup>.

A poll on signage will be taken by Council Members at the next meeting during the work session.

#### **CITY COUNCIL REPORTS (Agenda Item #17)**

**Cory Ritz** reported that he has received concerns from citizens regarding the impact on their properties of the Scenic Byway overlay.

**Sid Young** reported on the Policy Committee meeting of the League of Cities and Towns, regarding internet gambling which will be addressed by Senate Bill 169. He also reported that there is a direction in the League to retain taxation for police special districts in the cities. **Mr. Young** also inquired about Monday garbage pick-up when holidays fall on Mondays. **Mr. Forbush** said he will inquire into the matter and have garbage pick-up times published in the City newsletter.

The Council briefly discussed the upcoming Spring Convention being held April 15th-17th.

**David Hale** noted that Salt Lake County, Salt Lake City, and other police districts are forming an alliance to pool resources for SWAT teams and buying power for equipment. He said this was considered with the Fire Department for substations, but that it should be considered for Fire and Police departments within the Davis County area. **Max Forbush** said there is a state bid purchasing list which has been organized by the State so all municipalities can participate.

**Mayor Harbertson** raised the issue of old items on the Summary Action List, and **Max Forbush** said these would be reviewed and discussed at a future Council meeting.

**Rick Dutson** reported on a meeting with Rich Haws, and said there are some remaining issues to be resolved.

**Paula Alder** reported that Youth City Council interviews had been held and officers were elected. She feels that all applicants should be allowed to participate on the YCC and Council Members agreed. **Ms. Alder** announced that the YCC Retreat will be held on March 13<sup>th</sup> and asked for volunteers to give presentations. **Sid Young** and **Mayor Harbertson** will participate, and other Council Members will check their schedules. **Ms. Alder** also requested that names of YCC members who are present at City Council meetings be included in the minutes.

#### **MISCELLANEOUS Agenda Item #18)**

- **Miscellaneous Items.**
- **Minute Motion adjourning to closed session, if necessary, for reasons permitted by law.**

There were no items discussed.

#### **ITEMS OF GENERAL CORRESPONDENCE (Agenda Item #19)**

No items were discussed.

#### **ADJOURNMENT**

**David Hale** moved to adjourn and **Rick Duston** seconded the motion. The meeting adjourned at 9:47 p.m.

---

Margy Lomax, City Recorder  
Farmington City

#### **Addendum and clarification to City Council Minutes of February 17, 2009, (page 8) approved at the March 3, 2009, City Council meeting.**

##### **“CONSIDERATION OF CITY ENGINEER AND PLANNING COMMISSION RECOMMENDATION TO MODIFY STREET CROSS SECTION STANDARDS FOR THE ROAD TO THE NORTH”**

The motion made by Rick Dutson is herein clarified to mean that the cross section that was approved as part of the standards for the entire right-of-way with the space beyond the curb and gutter is to include decorative lighting, street trees, and lawn or landscaped areas.